

Plaintiffs' Exhibit LL

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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**SIERRA BOUCHER, LILY ENGBRECHT,
NATASSIA TUHOVAK, HANNAH WHELAN,
and, CASSIDY WOOD,**

PLAINTIFFS,

CASE NO. 1:22-CV-00381-CCR

-against-

TRUSTEES OF CANISIUS COLLEGE,

DEFENDANTS.

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**DECLARATION OF COLLEEN O'HARA
PURSUANT TO 28 U.S.C. § 1746 UNDER PENALTY OF PERJURY**

1. I am over the age of eighteen, suffer from no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify.
2. I understand I am making the statements in this Declaration under oath. This Declaration is true and accurate to the best of my knowledge.
3. I worked primarily as the administrative assistant for the Biology Department at Canisius College from September 2002 until 2020.
4. I also earned my Bachelor's Degree and Master of Science Degree in Community Mental Health and Counseling at Canisius.
5. I earned my Bachelor's Degree in 2009 and completed my Master Degree in 2014.
6. In 2020, I was let go because of faculty and staff layoffs that Canisius claimed were required because of an alleged budget deficit attributed to the COVID-19 pandemic.

7. I recall that after the first faculty meeting I attended in 2002, shortly after I was hired to work at Canisius, Dr. Michael Noonan, harassed and intimidated me by placing his face three inches away from mine and telling me that I was to be "seen and not heard."
8. Dr. Noonan's conduct shocked me at that time.
9. Soon after that incident, Dr. Noonan engaged with me in a very charming manner, which was so different from the way he treated me when I first met him, and this left me very confused.
10. Over the years, Dr. Noonan continued to engage with me in this way -- one minute he was very nasty, and the next minute he would be very charming.
11. I witnessed Dr. Noonan engage with others at Canisius using his "hot and cold" behavior, and I came to see it as one of the ways he would manipulate those around him into treating him with great caution, even when his conduct that crossed the line, because people were fearful of his unpredictable nature.
12. When I worked there, Canisius was a small place and staff members would share information about the faculty and the College's leadership with one another.
13. I soon learned from my peers that Dr. Noonan was "infamous" on campus for engaging in conduct that crossed the line, and that his behavior was condoned by Canisius leaders like President John Hurley and Dr. Sarah Morris, the Vice President of Academic Affairs, who both regularly praised Dr. Noonan because the ABEC program attracted many students, which made it a very profitable major for the College.
14. Mary Fiorella, who was the administrative assistant for the Animal Behavior and Environmental Conservation (ABEC) program, was one of my colleagues at Canisius.

15. I learned that Dr. Noonan was released from his position as a member of the Psychology Department faculty because his behavior was so bad his colleagues there refused to work with him, and Canisius permitted him to transition to the Biology department. While a member of the Biology Department Dr. Noonan was fine tuning the ABEC program which he then became Chair.

16. Canisius leadership never informed the staff of Dr. Noonan's removal from the Psychology Department because everything relating to him at Canisius was kept very "hush hush."

17. Although Canisius leaders thought Dr. Noonan could do no wrong, I know that students frequently commented and complained about his teaching style. However, I did observe that everyone at Canisius believed that Dr. Noonan was very important because of the way he portrayed himself as being well connected.

18. Although Canisius leaders praised him, I know that students frequently complained about Dr. Noonan's teaching style and his classes.

19. Students would complain to me about Dr. Noonan because I was taking classes along side with them and I believe they often viewed me as a peer and not a staff member of the College.

20. For example, I observed many students comment and complain about Dr. Noonan making inappropriate sexual comments during the Sex and Evolution class he taught every other year. I also heard students warn other students about some of the content being taught and inappropriate questions he would pose.

21. To my knowledge, Canisius faculty were also aware that students complained about Dr. Noonan making inappropriate sexual comments during the Sex and Evolution class.

22. I witnessed Dr. Noonan use his position of power at Canisius to attract the attention of many female students, who treated him like he was a very important person. I was also present when male students would express dismay and disappointment because they were being excluded from being chosen to go on the CAC (Canisius Ambassadors for Conservation) trips

23. Many ABEC students told me that they believed their professional future depended on maintaining a good relationship with Dr. Noonan even though he treated them badly, such as by yelling at them, by questioning their intelligence, or by harassing them with sexual comments.

24. I believe that Dr. Noonan focused unwanted sexual attention on specific women students, faculty and staff at Canisius who he thought were vulnerable because they demonstrated a lack of self-confidence.

25. When I encouraged many of these young women to go to the Chair of the Biology Department with their concerns about Dr. Noonan, none of the students felt anyone in a leadership role at Canisius would believe them or do anything to make the situation better.

26. I did not try to convince any ABEC students to go to Linda Walleshauser, who was the head of Human Resources, because she never did anything in response to any of my complaints regarding my working conditions, which I tried to raise with her over the years.

27. I had a sense that complaining about Dr. Noonan was a risky thing to do at Canisius.

28. I know that my former colleague, Tiffany Fuzak, left the College in 2016 or 2017 and I know her departure was related to Dr. Noonan, although no one at Canisius nor Tiffany herself ever discussed openly what happened and I never learned the whole story.

29. Tiffany worked as the ABEC major secretary for many years.

30. Tiffany told me that she was frightened of Dr. Noonan, and I witnessed how she tried to hide from him to avoid interacting with him as often as she could.

31. I recall Dr. Noonan acting in a very depressed and upset manner after Tiffany left Canisius, the way one would act if they lost a spouse or a close family member.

32. I believe that Dr. Margulis was elected Chair because of Dr. Noonan's misuse of ABEC program money.

33. ABEC faculty did not like Dr. Noonan or appreciate his dictatorial style, they tolerated him and his bad behavior.

34. This Declaration is true and accurate to the best of my knowledge.

Dated: _____, 2024



COLLEEN O'HARA